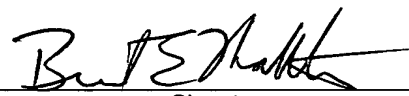


AF#
Jen

PTO/SB/31 (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number 3047A
In re Application of Kristopher W. Gerulski et al.		
Application Number 09/993,309		Filed November 16, 2001
For WOUND FILM DISPENSER WITH EXTERIOR RETAINER AND METHOD FOR MANUFACTURING SAME		
Art Unit 3724		Examiner Kenneth E. Peterson
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.		
The fee for this Notice of Appeal is (37 CFR 1.17(b))		\$ 340.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$
<input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.		
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.		
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.		
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 13-2855. I have enclosed a duplicate copy of this sheet.		
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.		
I am the		
<input type="checkbox"/> applicant /inventor.		
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		 Signature
<input type="checkbox"/> attorney or agent of record. Registration number		Brent E. Matthias Typed or printed name
<input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). 41,974		(312) 474-6300 Telephone number
		October 14, 2004 Date
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.		
<input type="checkbox"/> *Total of 2 forms are submitted.		

10/19/2004 MAHME1 00000003 09993309

01 FC:1401

340.00 OP

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 14, 2004

Signature:  (Brent E. Matthias)



Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

Application Number	09/993,309
Filing Date	November 16, 2001
First Named Inventor	Kristopher W. Gerulski
Examiner Name	Kenneth E. Peterson
Art Unit	3724
Attorney Docket No.	29252/3047A

FEE CALCULATION (continued)☐ **Deposit Account:**

13-2855

MARSHALL, GERSTEIN &
BORUN LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below	<input checked="" type="checkbox"/>	Credit any overpayments
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☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

1. BASIC FILING FEE

	Large Entity	Small Entity
1. Revenue Recognition	Revenue is recognized when the performance obligation is satisfied, which is typically when control of the goods or services is transferred to the customer.	Revenue is recognized when the performance obligation is satisfied, which is typically when control of the goods or services is transferred to the customer.
2. Expense Recognition	Expenses are recognized when the related asset is consumed or the liability is incurred, which is typically when the performance obligation is satisfied.	Expenses are recognized when the related asset is consumed or the liability is incurred, which is typically when the performance obligation is satisfied.
3. Asset Recognition	Assets are recognized when the entity has control over the resource, which is typically when the performance obligation is satisfied.	Assets are recognized when the entity has control over the resource, which is typically when the performance obligation is satisfied.
4. Liability Recognition	Liabilities are recognized when the entity has an obligation to transfer resources, which is typically when the performance obligation is satisfied.	Liabilities are recognized when the entity has an obligation to transfer resources, which is typically when the performance obligation is satisfied.
5. Equity Recognition	Equity is recognized when the entity has a residual interest in the assets, which is typically when the performance obligation is satisfied.	Equity is recognized when the entity has a residual interest in the assets, which is typically when the performance obligation is satisfied.

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)	(\$)	0.00
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			Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text"/>	.** =	<input type="text"/>	x	<input type="text"/>	=	<input type="text"/>
Independent Claims	<input type="text"/>	.** =	<input type="text"/>	x	<input type="text"/>	=	<input type="text"/>
Multiple Dependent					<input type="text"/>	=	<input type="text"/>

Large Entity	Small Entity
<p>1. Revenue Recognition</p> <p>Large entities use the percentage of completion method for long-term contracts, recognizing revenue as work progresses. Small entities often use the cost of sales method, recognizing revenue only when the contract is completed.</p>	<p>1. Revenue Recognition</p> <p>Small entities typically use the cost of sales method, recognizing revenue only when the contract is completed.</p>
<p>2. Inventory Valuation</p> <p>Large entities use FIFO (First In, First Out) for inventory valuation. Small entities may use FIFO or LIFO (Last In, First Out), depending on their tax strategy.</p>	<p>2. Inventory Valuation</p> <p>Small entities may use FIFO or LIFO (Last In, First Out), depending on their tax strategy.</p>
<p>3. Depreciation</p> <p>Large entities use MACRS (Modified Accelerated Cost Recovery System) for depreciation. Small entities may use MACRS or Straight-Line depreciation.</p>	<p>3. Depreciation</p> <p>Small entities may use MACRS or Straight-Line depreciation.</p>
<p>4. Bad Debt Expense</p> <p>Large entities use the percentage of sales method for bad debt expense. Small entities may use the percentage of receivables method.</p>	<p>4. Bad Debt Expense</p> <p>Small entities may use the percentage of receivables method.</p>
<p>5. Research and Development</p> <p>Large entities use capitalization and amortization for research and development costs. Small entities may use expensing for research and development costs.</p>	<p>5. Research and Development</p> <p>Small entities may use expensing for research and development costs.</p>

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)	(\$)	0.00
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****or number previously paid, if greater; For Reissues, see above**

Large Entity

Fee Code	Fee (\$)
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Small Entity

Fee Code	Fee (\$)
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Fee Description

Fee Paid

1051	130	2051	65	Surcharge – late filing fee or oath
1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet.
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	420	2252	210	Extension for reply within second month
1253	950	2253	475	Extension for reply within third month
1254	1,480	2254	740	Extension for reply within fourth month
1255	2,010	2255	1,005	Extension for reply within fifth month
1401	340	2401	170	Notice of Appeal
1402	330	2402	165	Filing a brief in support of an appeal
1403	290	2403	145	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive – unavoidable
1453	1,330	2453	665	Petition to revive - unintentional
1501	1,330	2501	665	Utility issue fee (or reissue)
1502	480	2502	240	Design issue fee
1503	640	2503	320	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))
1801	770	2801	385	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)	(\$)	340.00
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(Complete (if applicable))

Name (Print/Type)	Brent E. Matthias
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Registration No.
(Attorney/Agent)

41,974

Telephone	(312) 474-6300
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Signature

Date	October 14, 2004
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Dated: October 14, 2004

Signature: Brian E. Haddock (October 14, 2004)